



Winston H. Hickox
Secretary for
Environmental
Protection

California Regional Water Quality Control Board

San Diego Region

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Gray Davis
Governor

June 18, 2003

CERTIFIED – RETURN RECEIPT REQUESTED
7002 2410 0000 4398 2275

Mr. and Mrs. Ernest Moretti
P.O. Box 2078
Borrego Springs, California 92004

In Reply Refer to:
UST:50-3537.05:bsp

Dear Mr. and Mrs. Moretti:

RE: ADDENDUM NO. 5 TO CLEANUP AND ABATEMENT ORDER NO. 99-26

The California Regional Water Quality Control Board, San Diego Region (Regional Board) issued Cleanup and Abatement Order (CAO) No. 99-26 to you on September 15, 1999, for the Former Santa Ysabel Chevron Station (site), located at 30352 Highway 78, in Santa Ysabel, California. Enclosed is a copy of Addendum No. 5 to CAO No. 99-26 (Addendum No. 5). Addendum No. 5 directs you to install four vapor extraction wells to increase the efficiency of the existing vapor extraction system at your site.

Addendum No. 5 is issued pursuant to California Water Code (Water Code) sections 13267 and 13304. Note the requirements and deadlines contained in Addendum No. 5. Pursuant to Water Code section 13350, failure to comply with Addendum No. 5 may subject you to further enforcement action by the Regional Board, including administrative or judicial proceedings for the assessment of civil liability in amounts of up to \$5,000 per day per violation, referral to the State Attorney General for injunctive relief, and referral to the District Attorney for criminal prosecution.

You may contest the issuance of Addendum No. 5 by requesting a public hearing on the matter before the Regional Board. In order to schedule a hearing, this office must receive a written request no later than 5 PM on July 21, 2003. The next scheduled meeting of the Regional Board at which this item can be heard is August 13, 2003. Be aware that a request for a hearing does not stay any of the deadlines in Addendum No. 5.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

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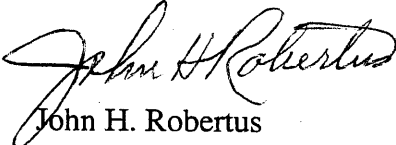
Mr. and Mrs. Ernest Moretti

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June 18, 2003

I strongly urge a prompt and complete response to each directive of Addendum No. 5. My staff will be happy to work with you in your efforts toward achieving compliance with the directives. If you have any questions regarding this letter, or Addendum No. 5, please contact Mr. Barry Pulver of my staff at (858) 467-2733.

Respectfully,



John H. Robertus
Executive Officer

Enclosure

cc (with enclosure):

Mr. Kenneth J. Vernon, R.G., Donan Environmental Services, Inc., P.O. Box 1839,
Vista, California 92085-1839

Mr. Anderson M. Donan, Donan Environmental Services, Inc., P.O. Box 1839,
Vista, California 92085-1839

Ms. Diana Conkle, Underground Storage Tank Cleanup Fund, P.O. Box 944212,
Sacramento, California 94244-2120

California Environmental Protection Agency

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ADDENDUM NO. 5 TO
CLEANUP AND ABATEMENT ORDER NO. 99-26**

**FORMER SANTA YSABEL CHEVRON SERVICE STATION
30350 HIGHWAY 78, SANTA YSABEL
SAN DIEGO COUNTY**

The California Regional Water Quality Control Board, San Diego Region (Regional Board) finds that:

22. The First Quarter 2003 Groundwater Monitoring report included a recommendation to install additional vapor extraction wells to increase the efficiency of the vapor extraction system operating at the site. The additional wells will be able to extract petroleum hydrocarbon-bearing vapors from portions of the fractured bedrock that, due to lowered groundwater levels, are now located above groundwater.
23. This action is an Order to enforce the laws and regulations administered by the Regional Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, that pursuant to sections 13267 and 13304 of the California Water Code, Mr. Earnest and Joyce Moretti (hereinafter the "*Discharger*") shall provide technical reports and cleanup and abate the effects of the unauthorized discharge of petroleum hydrocarbon wastes at the Former Santa Ysabel Chevron Station site by complying with the following:

52. An adequate workplan to install additional vapor extraction wells shall be received by the Regional Board no later than **July 30, 2003**. The workplan must include the following items:
 - a) A scaled map showing the location of the proposed wells;
 - b) A description of the drilling method, soil sampling locations and methods, laboratory test methods for collected soil samples, and proposed well construction; and
 - c) Verification from the Air Pollution Control District (APCD) that the permit to operate the vapor extraction system does not need to be modified, or a copy of the permit application that was submitted to the APCD for the modification.
53. The Regional Board shall receive a copy of an approved encroachment permit issued to the Discharger from the California Department of Transportation for the installation of the vapor extraction wells no later than **September 30, 2003**.

54. Complete the installation of the vapor extraction wells no later than **October 30, 2003**.
55. Incorporate the additional vapor extraction wells into the existing vapor extraction system no later than **November 15, 2003**. The Regional Board shall receive written documentation that the additional vapor extraction wells have been incorporated into the vapor extraction system no later than **November 30, 2003**.
56. The Fourth Quarter 2003 Groundwater Monitoring report, which is due to the Regional Board no later than **January 30, 2004**, must include the following additional information regarding the installation of the vapor extraction wells:
 - a) A narrative describing the well installation and well destruction activities;
 - b) Copies of laboratory test reports and tables of laboratory test results of the soil samples collected during the drilling of the borehole for the replacement well;
 - c) Boring and well construction logs;
 - d) Updates to the Preliminary Site Conceptual Model, as appropriate;
 - e) Documentation that all investigative derive wastes were properly handled and disposed; and
 - f) Copies of permits and other support documentation;
57. Copies of monitoring and compliance reports, as required by the APCD, shall be included in quarterly groundwater monitoring reports, commencing with the Second Quarter 2003 report.
58. Monthly and cumulative pounds of gasoline recovered using the vapor extraction system shall be calculated. Tables and graphs of the monthly and cumulative extraction rates shall be included in quarterly groundwater monitoring reports, commencing with the Second Quarter 2003 report.
59. Provide the Regional Board 72-hour notice prior to the installation of the vapor extraction wells.
60. All reports must meet all the requirements of CAO No. 99-26, and be signed and stamped by the registered professional in responsible charge of work; either a California registered geologist or licensed civil engineer experienced in conducting similar investigations in the State of California. All work must be done under the direct supervision of the registered professional who signs the documents required in Directives 52 and 56. By signing and

stamping these documents the registered professional takes full responsibility as the responsible professional in charge of work as specified in Business and Professions Code sections 6703 and 7805, and for the content of the documents.

61. A transmittal letter signed by the Discharger or his/her agent shall be submitted with all reports. The transmittal letter shall include a statement by the Discharger that, under perjury, to the best of the signer's knowledge the document is true, complete, and correct.
62. Pursuant to Water Code section 13267, the Regional Board may inspect the site to ascertain whether the purposes of this section are being met. The inspection shall be made with the consent of the owner or possessor of the facilities or, if the consent is withheld, with a warrant duly issued pursuant to the procedure set forth in Title 13 (commencing with section 1822.50) of Part 3 of the Code of Civil Procedure.
63. Prior to undertaking any investigative activity that could cause or contribute to the migration of waste from affected areas to unaffected areas, Discharger or Discharger's consultants shall determine investigative methods that will not cause or contribute to such migration, and shall develop and implement procedures to prevent such migration as a result of investigative activities.

Ordered by:



John H. Robertus
Executive Officer

Date Issued: June 18, 2003